

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN

LAETHEM EQUIPMENT COMPANY, a Michigan  
Corporation, LAETHEM FARM SERVICE CO., a  
Michigan corporation, MICHAEL T. LAETHEM, and  
MARK E. LAETHEM,

Plaintiffs,

Case No. 1:05CV10113

vs.

Hon. David W. Lawson,  
U.S. District Judge

DEERE & CO., a Delaware corporation,

Magistrate Judge Charles E. Binder

Defendant.

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Norman C. Ankers (P30533)  
Ann L. Andrews (P46886)  
Honigman Miller Schwartz and Cohn LLP  
Attorneys for Plaintiffs  
222 N. Washington Square, Suite 400  
Lansing, Michigan 48933  
(517) 377-0703 – Phone  
(517) 364-9503 – Fax

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John W. Allen (P10120)  
email: jwallen@varnumlaw.com  
Richard D. Fries (P32396)  
email: rdfries@varnumlaw.com  
Varnum Riddering Schmidt & Howlett LLP  
Attorneys for Defendant  
251 N. Rose St., 4th Floor  
Kalamazoo, Michigan 49007-3823  
(269) 382-2300 - Phone  
(269) 382-2382 - Fax

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**NOTICE OF FAULT OF NON-PARTIES**

Deere & Company, by its attorneys, Varnum, Riddering, Schmidt & HowlettLLP, hereby gives notice, pursuant to MCR 2.112(K) and MCL 600.2957, that non-parties Katherine Laethem, The Estate of Francis Laethem, The Francis M. Laethem Trust, Nancy Laethem Stern, Joseph A. Laethem, Carol A. Starling, and Mary Vinckier are wholly or partially at fault for the damages which Plaintiff is attempting to recover in this action. Upon information and belief, these non-parties reside at:

Katherine Laethem – 8 Kingsley Court, Frankenmuth, MI 38734.

The Estate of Francis Laethem – c/o Katherine Laethem, 8 Kingsley Court, Frankenmuth, MI 48734.

The Francis M. Laethem Trust – c/o Katherine Laethem, 8 Kingsley Court, Frankenmuth, MI 48734.

Nancy Laethem Stern – 2034 W. Cortland St., Chicago, IL 60647

Joseph A. Laethem – 3590 Roland Drive, Bloomfield Hills, MI 48301

Carol A. Starling – 1110 N. Colling Road, Caro, MI 48723

Mary Laethem Vinckier – 14303 Yale Rd., Lynn, MI 48097

This Notice of Fault to each non-party is premised upon information discovered in Defendant's review of files and documents contained in the matter of *Michael T. Laethem and Mark E. Laethem v. Kathryn M. Laethem, Individually and as CPA and Trustee of the Francis M. Laethem Trust*, 54th Circuit Court for the County of Tuscola, Michigan, Case No. 03-21644-CZ.

VARNUM, RIDDERING, SCHMIDT & HOWLETT<sup>LLP</sup>  
Attorneys for Defendants

Dated: August 4, 2005

By: /s/John W. Allen  
John W. Allen (P10120)  
Richard D. Fries (P32396)  
**BUSINESS ADDRESS:**  
251 North Rose Street, 4th Floor  
Kalamazoo, MI 49007-3823  
Phone: (269) 382-2300  
Fax: (269) 382-2382  
E-mail: [jwallen@varnumlaw.com](mailto:jwallen@varnumlaw.com)  
E-mail: [rdfries@varnumlaw.com](mailto:rdfries@varnumlaw.com)

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### CERTIFICATE OF SERVICE

I hereby certify that on August 4, 2005, I electronically filed **Notice of Fault of Non-Parties** with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

Ann L. Andrews at [AAndrews@honigman.com](mailto:AAndrews@honigman.com).

I declare that the above statements are true to the best of my knowledge, information and belief.

By: /s/ John W. Allen  
John W. Allen (P10120)

**BUSINESS ADDRESS:**

251 North Rose Street, 4th Floor  
Kalamazoo, MI 49007-3823  
(269) 382-2300  
jwallen@varnumlaw.com